Mr. Earl Golz
Star
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9/28/85

Dear Earl,

I've gone over the selection of Earl Warren's papers you sent and I suppose my two strongest impressions are a combination of ignorance and factual error by the Commission, particularly Warren, and the assumption that because they said what they said they are right. At no point in any of this does anyone at any time or place confront anything said by any critic. The ignorance and error ars conspicuous when evidence is referred to, particularly in the medical/autopsy and ballistics areas.

In all instances what you underline and what you questioned is what one has to wonder about.

In Goldberg's interview of Warren, p. 2, Warren is incorrect in stating that all the others had agreed to serve on the Commission. Although LBJ may have said this, as Warren says, Russell told me that he believed he had talked LBJ out of appointing him - and he had declined - and awakened to find himself appointed.

On page 4, imagine a chief justice actually saying that the autopsy X-rays could not have been used because "the court would not have permitted it!" Not only would the court have permitted it, best evidence virtually requires it, and the other side, the defense, would have wanted them testified to very much.

Page 5, Warren says that "the single bullet" didn't hit bone in JFK or Connally. In fact it hit bone in both, in three different parts of Connally's body. Bottom of that page, Russell. While I doubt very much that Russell said he was going to resign, for if he'd dared he'd have turned it down at the outset, and I am certain that his work on the Armed Services Committee is not what kept Russell busy. It was his leading the fight against Civil Rights, and he told me so.

Page 8, Nosenko, not mentioned by name, "we decided not to <u>use</u> his testimony." He means not to <u>take</u> it, and they didn't, although he'd offered to testify. He is exactly opposite the truth in then stating that the CIA ultimately decided that Nosenko was a "phony." He is as of last report still on its payroll. If the Commission had ever investigated it would have had substantial doubt about the CIA and its handling of and comment on Nosenko. It talked the Commission into ignoring him when the Commission should have questioned him and then decided whether or not he was credible.

Page 9, the executive session consideration of Warren Olney has nothing to do with his DJ employment. Ford and others, prompted by Hoover, just opposed him and went after him. But if DJ employment was a bar, Rankin had been there for eight years. And several others were on DJ's payroll.

The McCloy-Warren exchange over the Bernard Geis letter to McCloy. Geis wrote McCloy 2/14/68 and McCloy didn't get around to thinking of response until 7/16/69, a rather long time. He then says that they were right because they say they were right. And at the same time in his letter he isn't correct. Example, the panel review of the autopsy material was months <u>before</u> Garrison - and is unrelated.

In his letter to Lattimer Warren is quite judicious in referring to those believing that the best evidence should be examined, the autopsy film. He refers to us as "scavengers." His page 2 formulation about this panel's conclusions is interesting. He said it agreed with the testimony, not the evidence, and in fact it proved that the basis for the testimony was false.

The Redlich-Waltz correspondence: Waltz coauthored a Jack Ruby book and it is

of unhidden sycophancy. He also teed off against some critics in an openly biased way. His adverse comments are devoid of factual basis. It is the way lawyers prosper. How any lawyer who is both honest and impartial can represent thorough examination of what the Commission published and complete agreement escapes me. It is impossible.

That Warren saw the autopsy X-rays is news to me and how any can be "horrible" I do not know. Pictures are a different matter and in fact the X-rays have been published. (Specter, to whom he responds, had seen at least one picture.) Warren begs the questions, as he knows, because the questions are not of publication of the autopsy film but of examining it and evaluating the evidence in this film. It could have done that without publication of them although it did publish other X-rays.

If this is a fair selection of the papers Warren preserved about his Commission, he sure destroyed much. Maybe all the contemporaneous stuff is in the Archives. But unlike the official boilerplate, which is what this stuff is for the most part, at least one critic, I, sent all the members copies of my first book and asked them to show me any factual error in my first book. Of course they didn't have to, but they likewise have no basis for any generalized statements about critics and criticism if they limit what they claim to know to one or more members reading Lane and McCloy's claimed reading of Tink Thompson.

Although there is a different formulation of Warren's reason for taking the job, he spells it out here and in fact LBJ believed that the CIA was part of the conspiracy he believed killed JFK. Only a political infant would have believed that either Castro or Khruschev preferred LBJ to JFK and assassinating JFK meant that LBJ would be President.

Unless you missed it, I'm surprised that Warren papers hold no mention of the leak to him of the so-called Mafia plot, which was against Castro and not JFK. Pearson went to Warren after Roselli's lawyer, Ed Morgan, who had been in the FBI, went to Pearson, and Warren then sent Pearson to the Secret Service, which shifted the whole thing to the FBI, whose records on this I have..

Warren did not desposit all his relevant records or he or someone else purged his files to eliminate anything even suggesting that the "report was questionable. And I believe that Warren did see Bud Fensterwald, of which there is no mention.

I'm keeping these records intact under "Warren" and will be glad to answer any questions you may have.

Thanks and best wishes,

Harold